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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SIEMENS CORPORATION
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ISELIN, NJ 08830

EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2618

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10/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/748,584	Applicant(s) NEUHAUS, RALF	
	Examiner ANGELICA M. PEREZ	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/18/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-15,18 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-15,18 and 20-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The rejection under 35 U.S.C. 112, first paragraph made on 4/8/2008 has been reviewed and withdrawn.

Response to Arguments

2. Applicant's arguments filed 6/10/2008 have been fully considered but they are not persuasive.

(A) "The Examiner states 'according to the specifications administration also comprises administering, where administering can be 'to manage or supervise the execution or use of'. Applicant respectfully, requests the Examiner to indicate specifically where in Applicants specification that Applicant indicates that administration is 'to manage or supervise the execution or use of'. Furthermore, Applicant respectfully submits that Applicants Specification clearly recites on page 4 lines 12-14: relating to programming or management of the functions, settings, data etc., on the telephone. Thus, the administration causes changes to the communication device and does not merely manage the execution or use of the communication device as stated by the Examiner. "

In response to argument (A), the examiner would like to explain where the specifications describe administering as managing as stated by the applicant, and where managing relates to at least "supervise"; therefore, the prior art of record reads on the claims. The examiner explained where a general and broad interpretation to the claim was given. Since there is no description for what "managing" means in the

specifications, the examiner is given a general/broad definition/interpretation, as stated before.

3. Applicant's arguments with respect to claims 1-15 and 18-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 8-15 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferry et al. (Ferry, US Patent No.: 5,805,677 A) in view of Tidwell et al. (Tidwell, US Patent No.: 6535590B2) and further in view of Hsu, Robert P. (Hsu, US 5907604).

Regarding claim 1, Ferry teaches of a system for connecting, controlling, programming and/or operating at least one communication device (figure 1, represents a system), the communication device being a telecommunication system or a telecommunication terminal (figure 1, where television and telephones are part of telecommunication systems), comprising: an interface (column 2, lines 10-20 and 51-53, where at least the telephone interface provides information, directly or indirectly, to the TV set); at least one entertainment terminal having a display unit (figure 1, items 20 and 24, where the TV set corresponds to an "entertainment terminal", where a communication device, telephone is connected to an entertainment terminal, television),

the entertainment terminal connected to the communication device via the interface (figure 1, where the telephone inherently require an interface for communication with the television terminal and vice versa, the interface can be wired or wireless), where the communication device and the at least one entertainment terminal are configured to interchange information via the interface (columns 9 and 10, lines 52-62 and 33-40, respectively, where, at least, the telephone sends information regarding a call to the TV terminal and the television terminal can send a reply to the call/message), where the communication device automatically searches for an active entertainment terminal connected to the communication device upon activation of an administration mode of the communication device (column 2, lines 10-20 and 51-53; where programming the telephone to send the calls to the television corresponds to the administration mode, where the telephone is programmed to forward the call to the transfer device 10, that sends the information to the TV set, completing an indirect communication/connection), the administration mode allows the communication device to be administered (column 2, lines 10-20 and 51-53; where programming the telephone to send the calls to the television corresponds to the administration mode, where the telephone is programmed, at least, to forward the call to the transfer device 10, that sends the information to the TV set, completing an indirect communication/connection) where administration information that provides information for administering the communication device is sent from the communication device to the active entertainment terminal in response to finding an active entertainment terminal (column 2, lines).

Ferry does not specifically teach where a selection menu based on the configuration information is displayed on the active entertainment terminal.

In related art concerning a telephony system that provides communication between a telephone and a TV set, Tidwell teaches a selection menu based on the configuration information is displayed on the active entertainment terminal (Column 7, lines 54-62, where the menu provides setting options as well as command options). Tidwell further teaches where the selection of the user is sent from the active entertainment terminal to the communication device and the communication device is administered such that at least one parameter of the communication device is changed (column 8, lines 28-38, where by selecting at item form the menu, the telephone is directed to perform the function an send it back to the TV screen. In addition, the examiner was not able to find in the specifications any specific parameters to consider; therefore, the examiner is giving a broad interpretation to the term, where a "parameter" comprise "functions"; therefore, the prior rejection still reads on the claimed limitation because it refers to "functions" of the device that are modified).

It would be obvious to one of ordinary skill in the art at the time he invention was made to combine Ferry's system for controlling communications devices with Tidwell's selection menu in order to provide ease of use to the user.

Although it can be implied by Ferry and Tidwell, they are not explicit where the activation is initiated by a user directly interfacing with the communication device; however, the Examiner would like to introduce a new reference that in some explicit regarding the teachings.

In related art concerning an image icon associated with a caller ID, Hsu teaches where the activation is initiated by a user directly interfacing with the communication device (columns 1, 2 and 4, lines 65-67; 1, 26-42 and 40-45, respectively, e.g., “accepting signals from the user input device” and “a user of the PC viewing the display device can click on image icon 256 to receive the incoming call”).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Hsu’s direct interface with the device with Ferry’s and Tidwell’s combined system in order to allow control of the device and its functions to the user.

Regarding claim 2, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Tidwell further teaches where the entertainment terminal has an input facility in order to select from the selection menu displayed on the active entertainment terminal (Figure 3, item 16, where the remote control makes the input when selecting from the pull-down menu).

Regarding claim 3, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Ferry further teaches where the entertainment terminal is a television (Figure 1, item 20).

Regarding claim 8, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Ferry further teaches where the communication device searches automatically for an active entertainment terminal connected to the system upon an incoming call (column 1, lines 14-24, column 5, lines 8-29).

Regarding claim 9, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Ferry further teaches where the communication device transmits state-dependent

information to an active entertainment terminal (columns 9 and 10, lines 66-67 and 1-13, respectively; where additional information corresponds to “state-dependent information”).

Regarding claim 10, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Ferry further teaches where the system has at least one associated database for insert symbols corresponding to the state-dependent information which can be inserted on the entertainment terminal in line with the information transmitted to the entertainment terminal (columns 9 and 10, lines 66-67 and 1-13, respectively; where the data is stored in a memory, where a list of stored information corresponds to a database).

Regarding claim 11, Ferry, Tidwell and Hsu teach all the limitations of claim. Ferry further teaches where the database is associated with the communication device (columns 9 and 10, lines 66-67 and 1-13, respectively; where the data is stored in a memory, where a list of stored information corresponds to a database and it must be associated with at least one communication device).

Regarding claim 12, Ferry, Tidwell and Hsu teach all the limitations of claim 10. Ferry teaches where the database is a photograph and/or symbol database and/or a name database (column 12, lines 8-13).

Regarding claim 13, Ferry, Tidwell and Hsu teach all the limitations of claim 10. Ferry further teaches where the at-least-one database is stored on at least one memory device, which is associated with the system (column 12, lines 8-13).

Regarding claim 14, Ferry, Tidwell and Hsu teach all the limitations of claim 13. Ferry further teaches where the memory device is a memory device is in the

communication device and connected to the entertainment terminal (column 12, lines 8-13).

Regarding claim 15, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Ferry further teaches where the communications system comprises a plurality of communications devices connected to at least one entertainment terminal via the interface, and where the interface provides for communication among the plurality of communication devices (Figure 1, where the telephone network comprises a plurality of communication devices that can be interfaced with the television set).

Regarding claim 20, Ferry, Tidwell and Hsu teach all the limitations of claim 2. Tidwell further teaches where the input facility communicates with the entertainment system directly via a second interface (figure 1, item 16, where the remote control has a different interface such as wireless infrared interface).

Regarding claim 21, Ferry teaches of a method for programming a communication device (column 2, lines 10-20, where the telephone is programmed to detect and direct the calls to the television set), the communication device being a telecommunication system or a telecommunication terminal (column 2, lines 10-20, where telephones are telecommunication devices), the interface connected to at least one entertainment terminal having a display unit and connected to the communication device (column 2, lines 10-20 and 51-53, where the interface connects the telephone, directly or indirectly, to the TV set. In addition, further down it is shown where other interface can do the same); automatically searching for an active entertainment terminal by the communication device in response to an activation of an administration mode of

the communication device (column 2, 10-20 and 51-53, where programming the telephone to send the calls to the television corresponds to the administration mode, where the telephone is programmed to forward the call to the telephone/transfer device 10, that sends the information to the TV set, completing an indirect communication/connection); sending configuration information that provides information to configure the communication device to the entertainment terminal by the communication device (Column 3, lines 53-67, where synchronization of devices corresponds to "configuration of devices").

Ferry does not specifically teach where a selection menu based on the configuration information is displayed on the active entertainment terminal.

In related art concerning a telephony system that provides communication between a telephone and a TV set, Tidwell teaches a selection menu based on the configuration information is displayed on the active entertainment terminal (Column 7, lines 54-62, where the menu provides setting options as well as command options).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Ferry's system for controlling communications devices with Tidwell's selection menu in order to provide ease of use to the user.

Although it can be implied by Ferry and Tidwell, they are not explicit where the activation is initiated by a user directly interfacing with the communication device; however, the Examiner would like to introduce a new reference that is more explicit regarding the teachings.

Hsu teaches where the activation is initiated by a user directly interfacing with the communication device (columns 1, 2 and 4, lines 65-67; 1, 26-42 and 40-45, respectively, e.g., “accepting signals from the user input device” and “a user of the PC viewing the display device can click on image icon 256 to receive the incoming call”).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Hsu’s direct interface with the device with Ferry’s and Tidwell’s combined system in order to allow control of the device and its functions to the user.

Regarding claim 22, Ferry, Tidwell and Hsu teach all the limitations of claim 21. Tidwell further teaches of sending selection information from the entertainment terminal to the communication device in response to a selection from a user via an input unit; and administering the communication device using the selection information such that at least one parameter of the communication device is changed (Figure 3, item 16, where the remote control makes the input when selecting from the pull-down menu. Column 8, lines 28-38, where by selecting an item from the menu, the telephone is directed to perform the function and send it back to the TV screen. In addition, the examiner was not able to find in the specifications any specific parameters to consider; therefore, the examiner is giving a broad interpretation to the term, where a “parameter” comprise “functions”; therefore, the prior rejection still reads on the claimed limitation because it refers to “functions” of the device that are modified).

Regarding claims 23 and 24, Ferry, Tidwell and Hsu teach all the limitations of claims 21 and 1, respectively.

Hsu further teaches where the activation is initiated by a user pressing keys on the communication device (columns 5 and 6, lines 61-67 and 1-8, where keyboards comprise keys and where they required to be pressed).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Hsu's direct interface with the device with Ferry's and Tidwell's combined system in order to utilize a user interface such as a keyboard in a customary manner, e.g., "pressing keys".

6. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferry in view of Tidwell and Hsu; and further in view of Goldstein, Steven W. (Goldstein, US Patent No.: 5,410,326 A).

Regarding claim 4, Ferry, Tidwell and Hsu teach all the limitations of claim 1.

Ferry, Tidwell and Hsu do not specifically teach where the interface is a wireless interface.

In related art concerning a programmable remote control device for interacting with a plurality of remotely control devices, Goldstein teaches where the interface is a wireless interface (figure 14 shows a "RF link" wireless interface between telephone module 25 and different devices).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Ferry's, Tidwell's and Hsu's system for controlling communications devices with Goldstein's wireless interface in order to provide mobility to the system.

Regarding claim 6, Ferry, Tidwell and Hsu teach all the limitations of claim 1. Goldstein further teaches where the interface is a high-speed interface (column 33, lines 58-61, e.g., "high-speed modem").

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Ferry's, Tidwell's and Hsu's system for controlling communications devices with Goldstein's wireless interface in order to provide delivery of more sophisticated media such as video to the system.

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferry in view of Tidwell and Hsu, and further in view of Baker, Richard T. (Baker, US Patent No.: 5,948,080 A)..

Regarding claim 18, Ferry, Tidwell and Hsu teach all the limitations of claim 1.

Ferry, Tidwell, Hsu do not teach where the interface provides a plug and play option such that the entertainment system automatically recognizes a connection of a further communication device to the interface.

Baker's further teaches of IEEE 1394 Firewire standard and where the IEEE 1394 Firewire standard comprises the plug and play option (column 1, lines 21-34).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Ferry's, Tidwell's and Hsu's system for controlling communications devices with Baker's IEEE 1394 Firewire standard that comprises plug and play in order to readily connect new devices to the system without reconfiguring them.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferry in view of Tidwell, Hsu and Goldstein, and further in view of Baker.

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Regarding claim 7, Ferry, Tidwell and Hsu teach all the limitations of claim 6.

Ferry, Tidwell, Hsu and Goldstein do not explicitly teach where the interface transmission is based on the IEEE 1394 Firewire standard.

In related art concerning a system for assigning received data packets to data communication channels, Baker teaches where the interface transmission is based on the IEEE 1394 Firewire standard (column 1, lines 21-34, which is another standard for interfacing communication devices to obtain high speed at low cost).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Ferry's, Tidwell's, Hsu's and Goldstein's system for controlling communications devices with Baker's IEEE 1394 Firewire standard in order to obtain "high-performance multimedia connections with camcorders, televisions, stereos...", as taught by Baker.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 1:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached at (571) 272-7503. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

/A. M. P./

Examiner, Art Unit 2618

/Duc Nguyen/

Supervisory Patent Examiner, Art Unit 2618